

OVARIAN CANCER

Mr. CARPER. Mr. President, ovarian cancer, the fifth most fatal cancer among women in the United States, is a serious and underrecognized threat to women's health.

This year alone, there will be an estimated 21,650 new cases of ovarian cancer in the United States and it will cause more than 15,000 deaths. In Delaware, there were 322 cases of ovarian cancer between 1999 and 2003—the most recent data—and 211 deaths during that time.

Unfortunately, there is no screening test currently available for the early detection of ovarian cancer despite the fact that it is highly treatable when detected early.

Increased public awareness of this disease, its risk factors and its subtle symptoms can save the lives of women across Delaware. Moreover, women's doctors must learn to recognize the warning signs of ovarian cancer, which are often the only early indication of illness.

Throughout this past September, the Delaware Chapter of the National Ovarian Cancer Coalition has promoted ovarian cancer awareness activities and encouraged every Delaware woman to become educated about the symptoms and risk factors of ovarian cancer.

More ovarian cancer research will help to develop reliable diagnostics, better therapies and prevention strategies, offering women in Delaware and throughout the United States an opportunity to win their battle against this tragic gynecologic cancer.

It is time for all women and their doctors to become more aware of the warning signs of ovarian cancer and to become better educated about early treatment options, because lives depend on it.

RENEWABLE ENERGY AND JOB CREATION ACT

Mr. ROCKEFELLER. Mr. President, I am pleased to support the Renewable Energy and Job Creation Act of 2008, which includes a provision that extends a credit under section 45 of the Tax Code to "steel industry fuel." Steel industry fuel is a feedstock for the production of coke that is important to our Nation because it provides significant energy, environmental, economic, and financial benefits.

The energy and environmental benefits include utilizing a high Btu content hazardous waste in a fuel product that is created using a process that has been approved by the Environmental Protection Agency. The use of steel industry fuel makes our domestic steel industry economically more competitive by lowering production and operational costs. This in turn provides national defense benefits from a stronger domestic manufacturing base. It also provides financial benefits to steel company employees and retirees who

all gain from a more competitive steel industry.

The addition of steel industry fuel to the section 45 credit is intended to promote the use of the steel industry fuel process to manufacture a feedstock for the production of coke that recaptures the Btu content of "coal waste sludge." Coal waste sludge is the tar decanter sludge and other byproducts of the coking process. These materials have generally been treated as hazardous wastes under applicable Federal environmental rules (and in the past have been stored in the ground and in lagoons). Coal waste sludge has an energy content ranging from 7,000 Btus to 16,000 Btus per pound.

Coal waste sludge can generally be disposed of by one of several methods—use as part of a fuel product, steel industry fuel, incineration, or foreign land-filling. The most favorable method, from an energy resource and environmental perspective, is to use a process that liquefies the coal waste sludge and combines the liquefied coal waste sludge with coal to create steel industry fuel for use as a fuel product in steel producers' coke batteries. This method recaptures the significant energy content of the coal waste sludge and can be performed onsite at the steel producers' coke operations. The disposal of coal waste sludge in this manner has been approved by the Environmental Protection Agency. See 50 Federal Register No. 120, June 22, 1992.

The alternative methods of disposal are to transport the coal waste sludge offsite for incineration or to foreign countries for landfilling. Offsite disposal has significant drawbacks, including the need to physically convey a hazardous waste, which is a dangerous, cumbersome, and expensive undertaking, and the failure to recapture the energy content of the coal waste sludge if it is incinerated or landfilled in a foreign country. Incineration of coal waste sludge also requires the utilization of energy resources to burn up another energy resource, the coal waste sludge.

Steel industry fuel is produced using a facility that liquefies and distributes on each ton of coal approximately one-quarter to one-half gallon of coal waste sludge. Liquefied coal waste sludge in these amounts avoids operational and equipment problems with the coke batteries that use steel industry fuel as a feedstock to produce coke. An excessive amount of coal waste sludge in the coke battery causes adverse and irreparable damage to the coke battery. Steel industry fuel facilities include a facility that is comprised of one or more batch tanks and/or one or more storage tanks, steam and spray pipes, processing pumps, variable speed drives, a flowmeter, and related electrical equipment.

Explanation of Credit: The refined coal credit for steel industry fuel in the act is intended to provide an incentive for the expanded production of steel industry fuel. This expanded production

is intended to provide energy and environmental benefits by promoting the use of an alternative fuel that recaptures the energy content of a byproduct of the coking process, coal waste sludge, which would otherwise be treated as a hazardous waste. Accordingly, a credit is provided for the barrel-of-oil-equivalent production of steel industry fuel. The steel industry fuel provision the Senate approved would modify the current credit under section 45 with regard to the amount of the credit and the time period for the availability of the credit. This is necessary to differentiate the refined coal product that becomes steel industry fuel from the refined coal product currently eligible for a credit under section 45. Without the distinctions passed in this legislation, steel industry fuel would continue to be denied the tax treatment that will enable the steel industry to continue to produce coke domestically and prevent having to bury toxic waste into landfills.

To reflect differences between the refined coal currently eligible for a credit and refined coal credit that is steel industry fuel, such as higher coal costs for the metallurgical coal used to manufacture steel industry fuel, the steel industry fuel provision modifies Section 45 with regard to the amount of the credit, the placed in service period, the credit period, and other items.

The steel industry fuel provision in the act is drafted to provide greater certainty to steel industry fuel producers that their fuel production is eligible for the credit by providing specific definitions for both "steel industry fuel" and "coal waste sludge." This greater specificity is designed to attract the outside investment that is needed to finance steel industry fuel projects and expand the use of the steel industry fuel process.

IMMIGRATION REFORM

Mr. ENZI. Mr. President, I rise today to talk about an important issue for the people of the state of Wyoming. It is one that this body has attempted to address several times over the last three years, but never successfully: immigration reform.

Last year I introduced a "Ten Steps to Health Care" plan. This plan set forth 10 pieces of legislation that enacted as a group or individually would make positive changes in America's health care situation. I believe this approach will work well for the topic of immigration reform so I created a principles document of six steps to address this issue. This is not intended to be a comprehensive list—we have tried comprehensive approaches in the past and it doesn't work. This is a proposal of six reasonable items, based generally on proposals and ideas in other pieces of legislation.

Amnesty for illegal immigrants is not a part of this proposal. Amnesty rewards people for breaking the law and sends the wrong message to those

wishing to immigrate to our country legally. It puts illegal immigrants at the head of the line, in front of those who are following the rules in order to gain citizenship.

These six steps address border enforcement, interior enforcement, temporary worker programs, the employer verification system, English as our national language, and a merit-based permanent alien program.

The first step is what I have always said must be the top priority of any immigration reform proposal. Our Nation must have control of its borders. The enforcement of our laws is constitutionally the responsibility of the executive branch. Congress can ensure that we have adequate authorization and funding for continuing to hire and train border agents and they must have the proper authorization and funding to do their jobs. Congress already enacted the Secure Fence Act to increase the security along our Southern border. The enactment of this law, however, has hit a number of snags. Congress should increase oversight over the construction of the physical barriers and the development of the elements of the virtual fence. To ensure that congressional intent is clear, any future legislation must include specific construction and acquisition goals. We should also include mandates for the administration to report regularly if those goals are being met and if not, detailed explanations of why.

Interior enforcement is also the responsibility of the executive branch and our law enforcement. Congress should use our authority to clarify the ability of local law enforcement to assist in the detention of illegal immigrants and the reimbursement of those costs from federal agencies. As a former mayor, I understand the burden placed on sheriff's departments, police departments, and highway patrols when their already strained budgets are impacted by the delays in receiving reimbursements. Congress should also close loopholes that allow so-called sanctuary cities to avoid and ignore enforcement of Federal immigration laws. When these cities blatantly disregard Federal laws, they put their own citizens at risk by harboring those with no driver's licenses. These community leaders increase the burden on their taxpayers when social services are provided to illegal immigrants. We also should look at increasing the penalties for employers who knowingly and willingly, and especially those who repeatedly, hire illegal immigrants. Employers must have adequate protections, but we need to show that no business can pay a simple fine and continue to hire illegal workers.

One of the best ways to help our businesses is by enacting some common-sense changes in our temporary worker system. The current system is serving as a deterrent for following our country's laws. The problems with this system are not about a policy debate in Washington, they are about the ability

of a small business owner to operate, stay in business, and provide for their family. In Wyoming, I have heard from hospitality businesses under the H-2B program, ranchers under the H-2A program, and high-tech businesses under the H-1B program. American workers would always be the preference, but the reality is that some businesses and industries are not getting the workers they need from our domestic labor pool. Businesses must first look for domestic workers—that is a fair requirement and I have not heard from any business in my State that disagrees with that. I want to work with the business community on this proposal to create language that truly addresses their workforce needs.

Some ideas we should consider for an updated temporary worker system include requiring uniform procedures at all consular offices so that both employers and prospective employees understand their obligations, requirements, and the process. We could also reduce the amount of paperwork required for businesses going through the temporary worker process. We must re-examine the congressionally mandated caps on the visa numbers. The reality is that the need is much greater than what the caps currently allow. Congress can raise the caps by reasonable levels and then allow for market needs and usage to permit reasonable fluctuation in the numbers. Above all, Congress must listen to the businesses in our Nation and work with them to create a realist program that meets security and economic needs. We cannot afford for even more small businesses to close or for large businesses to move overseas.

Another area affecting business is the employer verification system or E-Verify. I am hopeful that before the 110th Congress adjourns for the year, we will address the expiring authorization. As we look to the future, we need to consider making this program permanent. I understand there are some who are concerned about the accuracy of the program. We need to encourage usage of the system to determine what shortfalls may exist and how to fix them. I am pleased that the President has directed that all Federal Government contractors use E-Verify. We should enact this requirement into law. We also need to give employers the option to verify the status of all employees and not just new hires. The U.S. Citizenship and Immigration Service, USCIS, should also be providing monthly reports to Immigration and Customs Enforcement, ICE, with information that merits investigation. In order for this system to work, information must be shared between federal agencies. Finally, I support USCIS creating a pilot system to provide small and rural businesses with the opportunity to use E-Verify.

One of the most common comments I have heard from the people of Wyoming is support for English as our national language. My proposal contains

two elements addressing our national language. First, we should declare English as our national language. Currently, 30 States have laws in place doing so. A common language for our government unifies our citizens. We have a great Nation made up of immigrants and I encourage everyone, whether a new citizen or a 10th generation American, to keep their family's traditions and cultures thriving in their homes and lives. This effort is about government documents and ensuring all citizens know what to expect from their government. The second part of this proposal eliminates an Executive order that may have been well intended, but has costly consequences. Executive order 13166 was designed to help those with limited English proficiency have access to government documents and services, but the fact that there were no reasonable limitations set forth make this order effectively require that every document and every service be ready for access in every possible language.

The final step in this plan is creating a merit-based permanent alien program. This concept is based on permanent alien programs of other industrialized nations like Canada, Germany, the United Kingdom, and Australia. The United States should have a similar program in place. This concept does not eliminate permanent alien programs for families or those with refugee status but would allow our Nation to ensure that a larger portion of green cards are going to those individuals who are contributing to our economy.

Canada's point system allows for approximately 60 percent of permanent resident aliens to qualify based on their skills and their benefit to the Canadian economy. The remaining 40 percent of permanent resident grants are based on family relations or refugee status. Current U.S. law allows about 70 percent of our annual 1 million permanent resident admissions be based solely on family relations and only about 13 percent to be based on employment with the rest going to refugees and diversity visas.

These six steps reflect ideas and concepts from a host of legislative proposals already introduced by my congressional colleagues. We could enact any one of these sensible proposals today and produce results tomorrow. I encourage my colleagues to listen to their constituents over the next several months. We need to get the message that Americans want our country's borders secure and our laws enforced. We need to hear the needs of our businesses and the financial concerns of our communities. The message has not gotten through that there are ways to improve our immigration system and make positive changes without amnesty. The people of America want Congress to improve our immigration system and we have not yet listened to them.